Federal Operating Permit
(Article 3)

This permit is based upon Federal Clean Air Act acid rain permitting requirements of Title IV, federal operating permit requirements of Title V; and Chapter 80, Article 3, and Chapter 140 of the Commonwealth of Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, 9 VAC 5-80-360 through 9 VAC 5-80-700, and 9 VAC 5-140-10 through 9 VAC 5-140-900 of the Commonwealth of Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Virginia Electric and Power Company
Facility Name:	Dominion Generation-Yorktown Power Station
Facility Location:	1600 Waterview Road, Yorktown, Virginia 23692
Registration Number:	60137
Permit Number:	TRO-60137

This permit includes the following enforcement programs:
Federally Enforceable Requirements – Clean Air Act (Sections I-IX),
Federally Enforceable Requirements – Title IV Acid Rain Requirements (Section X), and
Federally Enforceable Requirements – NOx Budget Trading Program Requirements (Section XI).

Effective Date: May 31, 2004
Minor Modification Date: May 15, 2007
Expiration Date: December 31, 2007

_____
Francis L. Daniel

May 15, 2007
Signature Date

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I. Facility Information

Permittee Information
Virginia Electric and Power Company
5000 Dominion Boulevard
Glen Allen, Virginia 23060

Responsible Official
Shaun E. Rodeheaver
Yorktown Power Station Director

Acid Rain Designated Representative/NOx Allowance Budget Trading Authorized Account Representative
J. David Rives
Vice President-Fossil & Hydro

Facility ID
Dominion Generation-Yorktown Power Station
1600 Waterview Road
Yorktown, Virginia 23692

Facility Contact Person
Pamela F. Faggert
Vice President & Chief Environmental Officer
(804) 273-3467

AFS Identification Number: 51-199-00001
ORIS Code: 3809
NATS Facility Identification Number: 3809

Facility Description: SIC Code 4911 (Electrical Power Generation) and NAISC ID Code 221112 (Fossil Fuel Electric Power Generation). The facility combusts fossil fuels, for the generation of electrical power, in two (2) coal-fired steam generators and one (1) residual oil fired steam generator. The three utility boilers also fire No. 2 fuel oil. Two of the three boilers are capable of firing natural gas, two are capable of firing petroleum coke, two are capable of consuming boiler solvent cleaning solution, one is capable of firing refinery gas, and one is capable of firing waste pond bottoms. The two coal-fired boilers have low-NO_x burners, and improved overfire air systems; and ammonia or urea injection for NO_x reduction is planned. Other emissions units are two fluid heaters, and coal receiving, conveying, and reclaim systems. This is a major source subject to Title V, and an acid rain source subject to Title IV, of the Clean Air Act Amendments of 1990.

Facility Air Permits:

1/13/94 NSR permit for solvent cofiring with coal in Units ES-1 and ES-2.
9/3/96 State Operating Permit with facilitywide summertime NO_x limits.
8/23/99 NSR permit authorizing pond bottoms cofiring with coal in Unit ES-2.
Phase II Acid Rain permit dated 05/02/03, and effective from 01/01/03 through 12/31/07.

II. Emissions Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emissions Unit Description	Size/Rated Input Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
ES-1A, 1B, 1C, 1D, 1E	EP-0	Unit ES-1 – Combustion Engineering tangential-fired boiler constructed in 1957. Fires coal (primary), petroleum coke; distillate oil, natural gas, and refinery gas. May consume solvent solution, or use borate injection, such as GAM-60, to coat furnace walls.	1697 mmBtu /hr (nominal)	Western Precipitator 9VG12 cold-side electrostatic precipitator; and Koppers-Custom Design multicyclone. Equipped with low-NO_x burners, modified overfire air, and ammonia or urea injection system for voluntary NO_x control**.	CD-1A CD-1B	PM, NO_x	1/13/94 NSR; 9/3/96 SOP; 05/02/03 Title IV Phase II Acid Rain Permit.
ES-2A, 2B, 2C	EP-0	Unit ES-2 – Combustion Engineering tangential-fired boiler constructed in 1959. Fires coal (primary), petroleum coke; and distillate oil. May consume solvent solution, cofire pond bottoms, or use borate injection, such as GAM-60, to coat furnace walls.	1745 mmBtu /hr (nominal)	Environmental Elements-Custom Design cold-side electrostatic precipitator; Equipped with low-NO_x burners, modified overfire air, and ammonia or urea injection system for voluntary NO_x control.	CD-2	PM, PM_{10}, arsenic, beryllium, cadmium, chromium, manganese, nickel, NO_x	1/13/94 NSR; 9/3/96 SOP; 8/23/99 NSR; 05/02/03 Title IV Phase II Acid Rain Permit.
ES-3A, 3B, 3C, 3D	EP-3	Unit ES-3 – Combustion Engineering tangential-fired boiler constructed in 1974. Fires residual oil (primary), on-specification used oil, natural gas, and distillate fuel oil. Fuel oils may contain additives, added either on-site or off-site.	8061 mmBtu /hr (nominal)	Universal Oil Products-Custom Design multiclone	CD-3	PM	9/3/96 SOP; 05/02/03 Title IV Phase II Acid Rain Permit.

Emission Unit ID	Stack ID	Emissions Unit Description	Size/Rated Input Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
ES-4	EP-4	Struthers distillate oil-fired fluid heater installed in 1972.	20.5 mmBtu /hr (nominal)	N/A	N/A	N/A	N/A
ES-5	EP-5	Radco distillate oil-fired fluid heater installed in 1975.	40.0 mmBtu /hr (nominal)	N/A	N/A	N/A	N/A
Coal Handling							
ES-6a	EP-6	Coal receiving from coal car unloading.	600 tons coal/hr (nominal)	Enclosures	-	PM, PM_{10}	-
ES-6b	EP-6	Coal conveying system (drop points DP-1 to DP-9).	600 tons coal/hr (nominal)	Enclosures, and Fabric filter	-	PM, PM_{10}	-
ES-6c	EP-6	Coal crusher (drop point DP-3).	600 tons coal/hr (nominal)	Enclosures	-	PM, PM_{10}	-
ES-6d	EP-6	Coal pile storage, handling (bulldozer and wind erosion).	600 tons coal/hr (nominal)	-	-	-	-

*The size/rated input capacity is provided for informational purposes only, and is not an applicable requirement.
**An ammonia injection system for voluntary NO_x control is scheduled to be installed, but is not currently in operation.

III. Fuel Burning Equipment Requirements – (Units ES-1 to ES-5)

A. Limitations

1. **Approved Fuels for Units ES-1 and ES-2** - Approved fuels for Unit ES-1 are coal (primary), petroleum coke, distillate oil, natural gas, and refinery gas. Approved fuels for Unit ES-2 are coal (primary), petroleum coke, and distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials ASTM D396 "Standard Specification for Fuel Oils". Units ES-1 and ES-2 may also consume boiler cleaning solvent solution. Unit ES-2 may also cofire pond bottoms. A change in the fuels may require a permit to modify and operate.

   (9 VAC 5-80-490 B.1)

2. **Approved Fuels for Unit ES-3 -** Approved fuels for Unit ES-3 are residual oil (primary), on-specification used oil, natural gas, and distillate oil. Residual oil is defined as fuel oil that meets the specifications for fuel oil numbers 4, 5 or 6 under the American Society for Testing and Materials ASTM D396 "Standard Specification for Fuel Oils". Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials ASTM D396 "Standard Specification for Fuel Oils". A change in the fuels may require a permit to modify and operate.

   (9 VAC 5-80-490 B.1)

3. **Approved Fuel for Units ES-4 and ES-5 -** Approved fuel for Units ES-4 and ES-5 is distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials ASTM D396 "Standard Specification for Fuel Oils". A change in the fuels may require a permit to modify and operate.

   (9 VAC 5-80-490 B.1)

4. **Emission Controls for Unit ES-1 -** Particulate matter emissions, and hazardous air pollutants (HAPs) emitted as particulate matter, from the consumption of all approved fuels in Unit ES-1, shall be controlled by a multicyclone and an electrostatic precipitator during the combustion of all approved fuels. The multicyclone and electrostatic precipitator shall be provided with adequate access for inspection, and shall be operating properly when Unit ES-1 is operating.

   (9 VAC 5-80-490 and Condition 3 of 1/13/94 NSR permit)

5. **Emission Controls for Unit ES-2 -** Particulate matter emissions, and hazardous air pollutants (HAPs) emitted as particulate matter, from the consumption of all approved fuels in Unit ES-2, shall be controlled by an electrostatic precipitator. The electrostatic precipitator shall be provided with adequate access for inspection, and shall be operating properly when Unit ES-2 is operating.

   (9 VAC 5-80-490, Condition 4 of 1/13/94 NSR permit, and Condition 3 of 8/23/99 NSR permit)

6. **Emission Controls for Unit ES-3 -** Particulate matter emissions from Unit ES-3 shall be controlled by a multiclone. The multiclone shall be provided with adequate access for inspection, and shall be operating properly when Unit ES-3 is operating.

   (9 VAC 5-80-490)

7. **Maximum Pond Bottoms Hourly Combustion Rate for Unit ES-2 -** Waste pond bottoms shall be cofired with coal only in Unit ES-2, and shall be delivered to the boiler from a bunker predesignated for a coal and bottoms blend at a rate not exceeding ten (10) tons of bottoms per hour, expressed on a dry weight basis.

   (9 VAC 5-80-490 and Condition 5 of 8/23/99 NSR permit)

8. **Maximum Pond Bottoms Annual Combustion Rate for Unit ES-2 –** Waste pond bottoms combustion shall not exceed 10,000 tons, expressed on a dry weight basis, of onsite waste pond bottoms per year, calculated monthly as the sum of each consecutive 12-month period. Use of any sources of bottoms other than the "Finger" ponds, and "Oil Retention" pond, may require additional sampling and hazardous air pollutant (HAP) analyses, and a modification to this permit.

   (9 VAC 5-80-490 and Condition 6 of 8/23/99 NSR permit)

9. **Cleaning Solution Consumption Restriction in Units ES-1 and ES-2-** Consumption of boiler cleaning solvent solution shall only be conducted in one unit at a time.

   (9 VAC 5-80-490 and Condition 11 of 1/13/94 NSR permit)

10. **Maximum Solvent Consumption Rate for Units ES-1 and ES-2 -** Units ES-1 and ES-2 (combined) shall consume no more than 360,000 gallons per year of boiler cleaning solvent solution, calculated each month boiler cleaning solvent solution is consumed as the sum of the previous twelve consecutive months (90,000 gallons of boiler cleaning solvent solution + 270,000 gallons of water added during 3 rinses of 90,000 gallons).

    (9 VAC 5-80-490 and Condition 5 of 1/13/94 NSR permit)

11. **PM Emissions Limits for Units ES-1 to ES-5-** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any gaseous products of combustion containing particulate emissions in excess of the following limits:

Emissions Unit	Heat Input	Allocated Particulates
Oil tank heater (Unit ES-4)	20.5 mmBtu/hr	0.3 lb/hr
Oil tank heater(Unit ES-5)	40 mmBtu/hr	0.6 lb/hr
Unit ES-1	1697 mmBtu/hr	306.0 lb/hr
Unit ES-2	1745 mmBtu/hr	188.5 lb/hr
Unit ES-3	8061 mmBtu/hr	661.0 lb/hr

For fuel burning equipment installations with total capacity in excess of 10 billion Btu per hour, the maximum allowable emission ratio, E, in pounds of particulate per million Btu input, shall be 0.1 pounds of particulate per million Btu input. Maximum allowable particulate emissions for each fuel burning equipment unit shall be the product of the rated capacity and the emission ratio. The individual unit particulate emissions allocations may be revised by the permittee in accordance with 9 VAC 5-40-910.

(9 VAC 5-40-900, 9 VAC 5-40-910, and 9 VAC 5-80-490)

12. **SO_2 Emissions Limit for Units ES-1 to ES-5 -** No owner or other person shall cause or permit to be discharged into the atmosphere from any fuel burning equipment installation any sulfur dioxide emissions in excess of the following limit:

SO_2 (for Units ES-1 to ES-5, combined)	30,528 lbs/hr

The maximum emissions shall be determined by the following equation:

S = 2.64K, where S = allowable emission of sulfur dioxide expressed in pounds per hour, and K = heat input at total capacity expressed in million Btu per hour. Compliance with this condition shall be demonstrated using a continuous emissions monitoring system in accordance with 40 CFR Part 75 and shall be based on a 30-day rolling average.

(9 VAC 5-40-930 and 9 VAC 5-80-490)

13. **PM/PM_{10} Emissions Limits for Unit ES-2 Pond Bottoms Combustion -** Criteria pollutant and hazardous air pollutant (HAP) emissions from combustion of waste pond bottoms in Unit ES-2 shall not exceed the limits specified below:

	Hourly	Annual	
Particulate Matter / PM_{10}	25.0 lbs/hr	12.5 tons/yr	(9 VAC 5-50-260)

Exceedance of either pond bottoms combustion rate limit in Specific Conditions 7 or 8 of Permit Section III.A shall be considered credible evidence of the exceedance of emissions limits.
(9 VAC 5-80-490 and Condition 7 of 8/23/99 NSR permit)

14. **NOx Emissions Limits for Units ES-1 and ES-2 Solvent Consumption -** Emissions from disposal of solvent solution in Units ES-1 and ES-2, combined, shall not exceed limits specified below:

	Hourly	Annual	
Nitrogen Dioxide (as NO_2)	700.0 lb/hr	21.0 tons/yr	(9 VAC 5-50-260)

Noncompliance with the solvent combustion limitations in Specific Condition 10 of Permit Section III.A shall be considered credible evidence of the exceedance of emissions limits.
(9 VAC 5-80-490 and Condition 10 of 1/13/94 NSR permit)

15. **Facility Summertime NOx Emissions Limits through 2007 -** The total nitrogen oxide (NOx) emissions from Dominion Generation-Yorktown Power Station, and Chesapeake Energy Center, combined, shall not exceed 5,500 tons from June 1 to August 31 (inclusive) per calendar year. Dominion Generation shall determine the actual NOx emissions released from the Yorktown Power Station from June 1 to August 31 of each calendar year by the use of emission rates in pounds/10^6 Btu developed in accordance with the provisions of 40 CFR 60, and the total heat input during the period for each unit (from fuel consumption and fuel analysis data). The results and any supporting data the Department may request shall be submitted to the Director, Tidewater Regional Office by October 15 of each calendar year.
(9 VAC 5-80-490 and Condition 3 of 9/3/96 state operating permit)

16. **Facility Summertime NO_x Emissions Limits Starting in 2008 -** Total nitrogen oxide (NO_x) emissions from Dominion Generation- Yorktown Power Station and Chesapeake Energy Center, combined, shall not exceed 5,000 tons from June 1 to August 31 (inclusive) per calendar year, starting in the year 2008. Dominion Generation shall determine the actual NO_x emissions released from Yorktown Power Station from June 1 to August 31 of each calendar year by the use of emission rates in pounds/10^6 Btu developed in accordance with provisions of 40 CFR 60, and the total heat input during the period for each unit (from fuel consumption and fuel analysis data). The results and any supporting data the Department may request shall be submitted to Director, Tidewater Regional Office by October 15 each calendar year.

    (9 VAC 5-80-490 and Condition 4 of 9/3/96 state operating permit)

17. **Visible Emissions Limits for Units ES-1, ES-2, ES-3, ES-4, and ES-5** - Visible emissions at boiler stack EP-0 while burning any approved fuel in Units ES-1 or ES-2, except during the cofiring of boiler cleaning solvent solution or waste pond bottoms; boiler stack EP-3 while burning any approved fuel in Unit ES-3; stack EP-4 for fluid heater ES-4; and stack EP-5 for fluid heater ES-5 shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed sixty (60) percent opacity, as determined by continuous opacity monitoring system (COMS) or EPA Method 9 (reference 40 CFR 60, Appendix A).

    (9 VAC 5-40-80, 9 VAC 5-40-940 B, and 9 VAC 5-80-490)

18. **Visible Emissions Limit for Solvent Consumption in Units ES-1 or ES-2, or Pond Bottoms Combustion in Unit ES-2-** Visible emissions at boiler stack EP-0 during the combined burning of coal, and consumption of boiler cleaning solvent solution, in Units ES-1 or ES-2, or during cofiring coal and waste pond bottoms in Unit ES-2, shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by COMS, or EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.

    (9 VAC 5-80-490, Condition 12 of 1/13/94 NSR permit, and Condition 8 of 8/23/99 NSR permit)

19. **Solvents Approved for Consumption -** Solvents and their concentrations approved for consumption in Units ES-1 and ES-2 are as follows:

    a. Ethylenediamine Tetracetic Acid (EDTA) (9 VAC 5-50-260)
    (333.3 lb EDTA) per 1000 gallons of water

    b. Ammoniated EDTA (9 VAC 5-50-260)
    (333.3 lb EDTA + 148.4 lb NH_4OH) per 1000 gallons of water

    c. EDTA and Sodium Nitrite (9 VAC 5-50-260)
    (333.3 lb EDTA + 115.71 lb $NaNO_2$) per 1000 gallons of water

    d. Citric Acid (9 VAC 5-50-260)
    (200 lb Citric Acid) per 1000 gallons of water

    e. Ammoniated Citric Acid (9 VAC 5-50-260)
    (200 lb Citric Acid + 205.75 lb NH_4OH) per 1000 gallons of water

    f. Citric Acid and Sodium Nitrite (9 VAC 5-50-260)
    (200 lb Citric Acid + 115.71 lb $NaNO_2$) per 1000 gallons of water

    g. Ammoniated Citric Acid and Sodium Nitrite (9 VAC 5-50-260)
    (200 lb Citric Acid + 148.4 lb NH_4OH + 115.71 lb $NaNO_2$) per 1000 gallons of water

    h. Ammoniated Bifluoride (9 VAC 5-50-260)
    (20.8 lb NH_5F_2) per 1000 gallons of water

    All combinations of these solvents at or below the above specified concentrations are acceptable. A change in the concentration of these solutions or the use of additional solutions may require a permit to modify and operate.
    (9 VAC 5-80-490 and Condition 6 of 1/13/94 NSR permit)

20. **Limits on Metals Contamination in Solvents -** The metal contaminant level per 1000 gallons of solvent boiler cleaning solution shall not exceed the following:

104.3 lb Fe	(9 VAC 5-50-260)
9.63 lb Cu	(9 VAC 5-50-260)
4.05 lb Ni	(9 VAC 5-50-260)
5.64 lb Zn	(9 VAC 5-50-260)
1.6 lb Ca	(9 VAC 5-50-260)
0.62 lb Mg	(9 VAC 5-50-260)
0.43 lb Mn	(9 VAC 5-50-260)

    (9 VAC 5-80-490 and Condition 7 of 1/13/94 NSR permit)

21. **Solvent Solution Analysis -** A representative sample of each batch of solvent boiler cleaning solution to be consumed in Units ES-1 and ES-2 shall be obtained and forwarded for analysis for the above metals to a qualified laboratory. Test results shall be expressed in pounds of each metal per 1000 gallons of solvent boiler cleaning solution.

    (9 VAC 5-80-490 and Condition 8 of 1/13/94 NSR permit)

22. **Emission Limits for Solvent Solution Consumption -** Hazardous air pollutant (HAP) emissions from the consumption of the solvent solution in Units ES-1 and ES-2, combined, shall not exceed the limits specified below:

Iron Oxide	8.1 lb/hr	0.12 tons/yr	(9 VAC 5-50-260)
Copper Oxide	0.6 lb/hr	0.01 tons/yr	(9 VAC 5-50-260)
Nickel Oxide	0.3 lb/hr	0.01 tons/yr	(9 VAC 5-50-260)
Zinc Oxide	0.4 lb/hr	0.01 tons/yr	(9 VAC 5-50-260)
Hydrogen Fluoride	46.5 lb/hr		(9 VAC 5-50-260)

    These emissions are derived from the estimated overall emission contribution. Compliance shall be determined by Specific Conditions 20 and 21 above.
    (9 VAC 5-80-490 and Condition 10 of 1/13/94 NSR permit)

23. **Emission Limits for Pond Bottoms Combustion -** Hazardous air pollutant (HAP) emissions from combustion of waste pond bottoms in Unit ES-2 shall not exceed the limits specified below:

Arsenic	0.30 lbs/hr	0.15 tons/yr	(9 VAC 5-50-260)
Beryllium	0.01 lbs/hr	0.01 tons/yr	(9 VAC 5-50-260)
Cadmium	0.01 lbs/hr	0.01 tons/yr	(9 VAC 5-50-260)
Chromium	0.30 lbs/hr	0.15 tons/yr	(9 VAC 5-50-260)
Manganese	3.6 lbs/hr	1.8 tons/yr	(9 VAC 5-50-260)
Mercury	0.02 lbs/hr	0.01 tons/yr	(9 VAC 5-50-260)
Nickel	18.0 lbs/hr	9.0 tons/yr	(9 VAC 5-50-260)
Selenium	0.24 lbs/hr	0.12 tons/yr	(9 VAC 5-50-260)
Total of HAP limits	23.0 lbs/hr	11.5 tons/yr	(9 VAC 5-50-260)

    These emissions are derived from the estimated overall emission contribution from expected operating conditions. Exceedance of either bottoms combustion rate limit in Specific Conditions 7 and 8 shall be considered credible evidence of the exceedance of emission limits.
    (9 VAC 5-80-490 and Condition 7 of 8/23/99 NSR permit)

24. **Facility or Control Equipment Malfunction- Hazardous Air Pollutant Processes-** Waste pond bottoms combustion in Unit ES-2 shall, upon request of the Department, shut down immediately if its emissions may increase in any amount because of a bypass, malfunction, shutdown or failure of the combustion unit or its associated air pollution control equipment. Cofiring shall not recommence until the combustion unit and associated air pollution control equipment are operating in a proper manner.
    (9 VAC 5-80-490, and Condition 16 of 8/23/99 NSR permit)

B. Monitoring

25. **Condition Assessment of Multicyclones for Units ES-1 and ES-3 -** A condition assessment shall be conducted on the multicyclones for Units ES-1 and ES-3 annually by the permittee to insure the equipment is in proper operating condition.
    (9 VAC 5-80-490 and Condition 3 of 1/13/94 NSR permit)

26. **Opacity Monitors for Units ES-1, ES-2, and ES-3 -** A continuous opacity monitoring system (COMS) shall be installed and operated to measure and record opacity of emissions from stack EP-0, serving Units ES-1 and ES-2, and from stack EP-3, serving Unit ES-3. Each COMS shall be maintained and calibrated in accordance with 9 VAC 5-40-40 and 9 VAC 5-40-41 of State Regulations.
    (9 VAC 5-40-100 and 9 VAC 5-80-490)

27. **Opacity Measurements for Units ES-1, ES-2, and ES-3 –** The permittee shall review the recorded opacity data from opacity monitors serving Units ES-1, ES-2, and ES-3 daily. If the data indicate opacity approaching the applicable standard, the permittee shall check boiler operating parameters to determine if parameters are within normal range. If boilers are not operating within normal parameters, adjustments shall be made to return the unit(s) to proper operation. Opacity data shall be reviewed again to confirm proper operations. Recorded data shall be kept on-site for a minimum of five years.
    (9 VAC 5-40-940 and 9 VAC 5-80-490)

28. **Visual Emission Observations for Emissions Units ES-4 and ES-5-** Visible emission observations shall be used by the permittee to assist in determining whether Emission Units ES-4 and ES-5 are operating properly. Each unit shall be observed for visible emissions on a monthly basis during months in which each unit is operated. The results of the observations shall be recorded and records retained on site for review. Whenever either unit appears to be exceeding normal visible emissions, the permittee shall check the unit's operating parameters and proceed as follows:

    a. If unit parameters are not within normal range, then

        (1) Corrective action shall be taken to return the unit to proper operation.

        (2) The visible emission observation shall be repeated to confirm proper operation.

b. If unit parameters are within the proper range or corrective action did not adequately reduce visible emissions, then a visible emissions evaluation (VEE), in accordance with 40 CFR Part 60, Appendix A, Method 9, shall be conducted.

(9 VAC 5-80-490 E)

29. **Fuel Certification -** The permittee shall obtain a certification from the fuel supplier for each shipment of distillate oil. Each fuel supplier certification shall include the following:

    a. The name of the fuel supplier;

    b. The date on which the distillate oil was received;

    c. The volume of distillate oil delivered in the shipment; and

    d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 and 2.

    (9 VAC 5-80-490)

30. **NO_x from Combustion of Solvent Cleaning Waste in Units ES-1 and ES-2 -** The permittee shall calculate NO_x emissions resulting from the disposal of boiler solvent cleaning waste in Units ES-1 and ES-2. Combined emissions of Units ES-1 and ES-2 shall be determined for the period of each event, and totaled each month boiler cleaning solvent solution is consumed as the sum of the previous twelve consecutive months.

    (9 VAC 5-80-490)

31. **Emission Calculations -** The permittee shall calculate emissions of PM in lbs/mmBtu (combined) and lbs/hr (for each unit) from Units ES-1, ES-2, ES-3, ES-4, and ES-5 to demonstrate compliance with the combined PM limitations specified in Specific Condition 11. The permittee shall calculate emissions of SO_2 in lbs/mmBtu from fuel heaters ES-4 and ES-5, and use recorded CEMS data for SO_2 emissions in lbs/mmBtu from Units ES-1, ES-2, and ES-3 to demonstrate compliance with the combined SO_2 limitations specified in Specific Condition 12. The permittee shall calculate such emissions weekly utilizing hourly heat input data or hourly fuel throughput, control equipment efficiency, and appropriate F-factors or AP-42 emission factors, or CEMS data where appropriate. In lieu of a weekly calculation, the permittee may elect to make a one-time demonstration of the relationship between maximum hourly heat input or fuel throughput and maximum hourly emissions using appropriate F-factors or AP-42 emission factors. Such a one-time demonstration shall be maintained on-site for the life of the units, and shall demonstrate compliance with the emission limitations set forth in Specific Conditions 11 and 12 of this permit.

    (9 VAC 5-80-490)

C. Recordkeeping

32. **On Site Records for Units ES-1, ES-2, and ES-3 -** The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

    a. Records of calculated or measured ozone season (June 1 to August 31 inclusive) NO_x emissions, in tons, to support specific reporting requirements in Section III.E of this permit;

    b. Records of the types and amounts of fuels combusted in each of Units ES-1, ES-2, and ES-3, calculated monthly as the sum of each consecutive 12-month period;

    c. All fuel supplier certifications;

    d. Annual average ash content, calculated as the BTU-weighted average ash content of coal combusted in each calendar year;

    e. All emission calculations relied on by the permittee to demonstrate compliance with the emission limits set forth in this permit, including DEQ-approved, pollutant-specific emission factors, equations, and assumptions used;

    f. Any emissions data measured by continuous emissions monitoring systems (CEMS) and continuous opacity monitoring systems (COMS);

    g. Records of boiler or air pollution control equipment (APCE) performance measurements or emissions testing; and

    h. Results of annual multicyclone condition assessments for Units ES-1 and ES-3.

    These records shall be available at the facility for inspection by the DEQ and shall be current for the most recent five (5) years.
    (9 VAC 5-80-490 C and F)

33. **Consumption in Units ES-1 and ES-2 -** The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:

    a. Types, maximum hourly feed rate, and amount of disposal of boiler solvent waste solution in Units ES-1 and ES-2, combined, in gallons per year, calculated at the end of each month that cleaning solvent solution has been consumed as the sum of the previous twelve consecutive months.

b. The amount of water used to dilute the boiler solvent cleaning waste solution, in gallons per year, calculated at the end of each month cleaning solvent solution has been consumed as the sum of the previous twelve consecutive months.

c. Documentation of solvent concentrations required by Specific Condition 19 in Section III A of this permit.

d. Test results for metals in boiler cleaning solvent solution, and any supplemental calculations, as required in Specific Condition 21 in Section III A of this permit.

e. Opacity monitor strip chart readings**,** or other continuous readings, recorded during the combined burning of coal and solvent solution, shall be maintained as separate records.

These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent 5-year period.

(9 VAC 5-50-50, 9 VAC 5-80-490 F, and Conditions 9 and 15 of the 1/13/94 NSR permit)

34. **On-Site Records on Waste Pond Bottoms Cofiring in Unit ES-2 -** The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

a. Operation and control device monitoring records for Unit ES-2, and record of coal firing status, when combusting waste pond bottoms;

b. Waste pond bottoms hourly cofiring rate in Unit ES-2, defined as the ratio of metered tons, expressed on a dry weight basis, and measured cofiring hours, including a record of daily start and stop times; and

c. Operator's log of bottoms transferred daily to the staging bunker (in cubic yards), and tons of annual bottoms transferred, expressed on a dry weight basis, calculated monthly as the sum of each consecutive 12-month period.

These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent five years.

(9 VAC 5-50-50, 9 VAC 5-80-490, and Condition 11 of the 8/23/99 NSR permit)

35. **On-Site Records for Fluid Heaters ES-4 and ES-5 -** The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. Records shall include, but are not limited to:

a. Annual consumption of fuel oil in fluid heaters ES-4 and ES-5, each calculated monthly as the sum of each consecutive 12-month period;

b. Fuel supplier certifications;

c. All emission calculations relied on by the permittee to demonstrate compliance with the emission limits set forth in this permit, including DEQ-approved, pollutant-specific emission factors, equations, and assumptions used;

d. Monthly periodic visible emissions observations on heaters ES-4 and ES-5 during months when these units operate; and

e. Results of Method 9 visible emission evaluations on heaters ES-4 and ES-5, if any, and any corrective action taken.

These records shall be available at the facility for inspection by DEQ, and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-490)

D. Testing

36. **PM Emissions Testing for Units ES-1, ES-2, and ES-3 -** Testing to demonstrate compliance with this permit shall be conducted for PM emissions from Units ES-1, ES-2, and ES-3 within twelve (12) months of the issuance of this permit, and within one year of each 5-year update, or sooner if directed. Stack testing for PM-10 or other air pollutants may be directed, if DEQ determines such testing is required to meet the requirements of Specific Conditions 32g or 34a in Section III.C of this permit, or General Condition J.12 in Section IX. Testing of fluid heaters ES-4 and ES-5 is not required unless directed.

    (9 VAC 5-80-490)

E. Reporting

37. **Ozone Season NO_x Data -** The permittee shall submit the results, and any supporting data, related to ozone season NO_x measurements or calculations to the Director, Tidewater Regional Office by October 15 of each calendar year.

    (9 VAC 5-80-490 and Conditions 3 and 4 of 9/3/96 Ozone Season permit)

38. **NSR Permit Invalidation** – The NSR permit dated August 23, 1999, to combust pond bottoms in Unit ES-2 shall become invalid, unless an extension is granted by the DEQ, if combustion of waste pond bottoms is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of combustion.

    (9 VAC 5-80-490, 9 VAC 5-80-1210, and Condition 17 of 8/23/99 NSR permit)

IV. Process Equipment Requirements – (Coal Pile Grading and Maintenance, and Coal Crushing and Handling)

A. Limitations

39. **PM and PM_{10} Emission Control Requirements for Coal Pile Grading and Maintenance, and Coal Crushing and Handling -** Particulate matter (PM and PM_{10}) emissions from coal pile grading and maintenance, and coal crushing and transfer points in the coal handling system, shall be controlled at all times, including periods of startup, shutdown, and malfunction, by wet suppression as necessary, and by maintaining and operating the facility, including any air pollution control equipment, in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

    (9 VAC 5-40-20 and 9 VAC 5-80-490)

40. **PM and PM_{10} Emission Limit for Coal Pile Grading and Maintenance (Emission Unit ES-6d)–** Total emissions from coal storage pile grading and maintenance (ES-6d) shall not exceed the limit specified below:

Particulate Matter (PM)/PM_{10}	71.2 lbs/hr	(9 VAC 5-40-260 D)

    Compliance shall be determined as stated in Specific Condition 39 of this permit.

    (9 VAC 5-40-260 D and 9 VAC 5-80-490)

41. **PM and PM_{10} Emission Limit for Coal Crushing (Emission Unit ES-6b, Drop Point DP-3)–** Emissions from coal crushing (Emissions Unit ES-6b, Drop Point DP-3) shall not exceed the limit specified below:

Particulate Matter (PM)/PM_{10}	71.2 lbs/hr	(9 VAC 5-40-260 D)

    Compliance shall be determined as stated in Specific Condition 39 of this permit.

    (9 VAC 5-40-260 D and 9 VAC 5-80-490)

42. **Visible Emissions Limits for Coal Transfer Points DP-1 to DP-9 -** Visible emissions from coal transfer points (DP-1 to DP-9) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed sixty (60) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).

    (9 VAC 5-40-80 and 9 VAC 5-80-490)

B. Monitoring and Recordkeeping

43. **Weekly Visual Observations for Coal and Fly Ash Handling Emissions -** The permittee shall observe the coal handling and fly ash handling systems for visible emissions on a weekly basis, weather permitting. If visible emissions are noted, the permittee shall correct the conditions causing the visible emissions as expeditiously as practical. The permittee shall record all instances of visible emissions and the corrective action taken (if any) in a log. The log shall be kept on site and available for inspection by DEQ for the most recent five (5) years.

    (9 VAC 5-80-490 E)

44. **On-Site Records for Coal and Flyash Handling-** The permittee shall maintain records of emissions data and operating parameters as necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:

    a. Annual coal throughput for the facility, calculated monthly as the sum of each consecutive 12-month period;

    b. Use of any other dust suppressant than water, including the type of suppressant employed, the reason for use, and when and where used, as specified in Section IX, General Condition N, of this permit;

    c. Any malfunction of dust control equipment and the corrective actions taken (e.g., malfunction of a baghouse, wheel washer, or water truck, etc.);

    d. Records sufficient to confirm the plant's current hourly coal handling rate, and associated emission rate; and

    e. Weekly visible emissions observations log of coal and flyash handling.

    These records shall be available at the facility for inspection by the DEQ, and shall be current for the most recent five years.

    (9 VAC 5-50-50 and 9 VAC 5-80-490)

C. Testing

45. No specific testing requirements are imposed for applicable requirements related to coal crushing and handling. Compliance with each limitation shall be based on compliance with monitoring, recordkeeping, and reporting provisions of this section.

    (9 VAC 5-80-490)

V. Process Equipment Requirements - (Asbestos removal)

A. Limitations

46. The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), and Standards for Insulating Materials (40 CFR 61.148). Renovation and removal activities involving asbestos containing material (ACM) shall be conducted using licensed, trained facility personnel, or contractors in accordance with NESHAP Subpart M requirements.
    (9 VAC 5-60-70 and 9 VAC 5-80-490 A.1)

47. ACM waste materials generated from renovation and removal activites shall be disposed of in accordance with NESHAP Subpart M requirements (40 CFR 61.150).
    (9 VAC 5-60-70 and 9 VAC 5-80-490 A.1)

48. Air cleaning activities associated with renovation and removal of ACM shall be conducted in accordance with NESHAP Subpart M requirements (40 CFR 61.152).
    (9 VAC 5-60-70 and 9 VAC 5-80-490 A.1)

B. Monitoring and Recordkeeping

49. The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrate compliance with this permit. Content and format of such records shall be arranged with the Director, Tidewater Regional Office. Records for asbestos removal operations shall include, but are not limited to:

    a. Promulgation and maintenance of standard operating procedures sufficient to demonstrate continuing compliance with requirements of Specific Conditions in Section V.A of this permit; and

    b. Records of training, waste disposal, and air cleaning.

    Records shall be available at the facility, made available for inspection by DEQ, and current for the most recent 5 years.
    (9 VAC 5-80-490 E and F)

C. Testing

50. No specific testing requirements are imposed for the applicable requirements related to asbestos removal. Compliance with each limitation shall be based on compliance with the monitoring, recordkeeping, and reporting provisions of this section.
    (9 VAC 5-80-490)

VI. Facility-Wide Conditions

A. Limitations

51. **Stratospheric Ozone Regulations -** The permittee shall comply with each applicable provision of 40 CFR 82, Protection of Stratospheric Ozone, Subparts B and F.

    (9 VAC 5-80-490; 40 CFR 82, Sections 82.34, 82.36, 82.42, 82.154, 82.156, 82.158, 82.161, 82.162, 82.166; and Appendices to Subpart B)

52. **Violation of Ambient Air Quality Standard -** The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, if DEQ determines that this is necessary to prevent a violation of any primary ambient air quality standard, and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

    (9 VAC 5-80-490 and Condition 18 in 8/23/99 NSR permit)

53. **Commencement Date for Compliance with Title V Requirements not Previously Specified -** There is no requirement to perform new monitoring, or keep new records, under this Title V permit prior to June 1, 2003.

    (9 VAC 5-80-490)

B. Monitoring and Recordkeeping

54. **Notification for Control Equipment Maintenance** - The permittee shall furnish notification to the Director, Tidewater Regional Office of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least 24 hours prior to the shutdown. The notification shall include, but is not limited to, the following information:

    a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;

    b. The expected length of time that the air pollution control equipment will be out of service;

    c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period; and

    d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

    (9 VAC 5-20-180 I, 9 VAC 5-80-490, and Condition 14 in 8/23/99 NSR permit)

55. **Maintenance/Operating Procedures -** The permittee shall take the following measures to minimize the duration and frequency of excess emissions associated with all combustion units, and coal and fly ash handling operations, with respect to air pollution control equipment and process equipment which affect such emissions:

    a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

    b. Maintain an appropriate inventory of spare parts.

    c. Have available written operating procedures for equipment. These procedures shall be based on manufacturers' recommendations, at a minimum.

    d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of training provided including the names of trainees, the date of training and the nature of the training.

    Records of maintenance and training shall be maintained at the facility for a period of five (5) years, and shall be made available to DEQ personnel upon request.

    (9 VAC 5-80-490, Condition 14, 19, and 20 of 1/13/94 NSR permit, and Condition 19 of 8/23/99 NSR permit)

C. Testing

56. **Test Ports -** Upon request from the Department, test ports shall be provided at the appropriate locations.

    (9 VAC 5-40-30, 9 VAC 5-80-490 E and F, Condition 13 of 1/13/94 NSR permit, and Condition 9 of 8/23/99 NSR permit)

57. **Test Methods -** If testing is conducted for compliance purposes in addition to monitoring specified in this permit, the permittee shall use the following test methods, or suitable equivalent methods approved in writing by DEQ, in accordance with procedures approved by DEQ as follows:

    The following table applies only to those pollutants that have emission limits.

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO_x	EPA Method 7, 7e
SO_2	EPA Method 6, 6c
CO	EPA Method 10
PM / PM_{10}	EPA Method 5, 17, 201
Visible Emission	EPA Method 9, 22

    (9 VAC 5-40-30 and 9 VAC 5-80-490 E and F)

58. The facility is subject to the following federal regulatory requirements:

a. 40 CFR 64 - Compliance Assurance Monitoring (CAM) Requirements. Details requirements for Compliance Assurance Monitoring.

b. 40 CFR 68 - Chemical Accident Prevention Provisions.
Describes requirements for Risk Management Plans.

c. 40 CFR 70 – Operating Permits Regulation.
Institutes operating permit requirements.

d. 40 CFR 72 – Acid Rain Permits Regulation.
Establishes Acid Rain Program requiring Phase I and Phase II permits.

e. 40 CFR 73 – Sulfur Dioxide Allowance System.
Establishes SO_2 allowance allocations, tracking, transfers, and auctions.

f. 40 CFR 75 – Continuous Emission Monitoring.
Establishes continuous emissions monitoring provisions including installation, certification, operation and maintenance and quality assurance.

g. 40 CFR 76 – Acid Rain Nitrogen Oxides Emission Reduction Program.
Establishes NO_x emissions limits for coal-fired utility units subject to an SO_2 Acid Rain emissions limitation or reduction requirement under Phase I or Phase II.

h. 40 CFR 77 – Excess Emissions.
Requires offsets for excess emissions of SO_2 and provides penalties for excess emissions of SO_2 and NO_x.

i. 40 CFR 78 – Appeal Procedures.
Establishes appeal procedures for the Acid Rain Program.

j. 40 CFR 82 – Stratospheric Ozone Protection.
Subpart F provides requirements for facilities that utilize CFCs in air conditioning units, chillers, etc. to utilize licensed technicians for repair.

59. The facility is subject to the following Virginia regulatory requirements:

    a. 9 VAC 5-20-50 - Variance.

    b. 9 VAC 5-20-70 - Circumvention.

    c. 9 VAC 5-20-160 - Source registration.

    d. 9 VAC 5-20-180 - Good maintenance practices and start-up, shutdown, and malfunction procedures.

    e. 9 VAC 5-40-10 – Existing source rule applicability.

    f. 9 VAC 5-40-20 - Compliance for existing sources.

    g. 9 VAC 5-40-30 - Emission testing for existing sources.

    h. 9 VAC 5-40-40 - Existing source monitoring.

    i. 9 VAC 5-40-50 - Existing source notification, records, and reporting.

    j. 9 VAC 5-40-80 - Existing source standard for visible emissions (opacity).

    k. 9 VAC 5-40-90 - Standard for fugitive emissions for existing sources.

    l. 9 VAC 5-40-100 - Monitoring.

    m. 9 VAC 5-40-260 D - Particulate matter (PM) emissions limit for general process operations.

    n. 9 VAC 5-40-880 – Existing source standards for fuel burning equipment

    o. 9 VAC 5-40-900 - Existing source standards for PM.

    p. 9 VAC 5-40-910 - PM emission allocation system.

    q. 9 VAC 5-40-920 - Determination of collection equipment efficiency factor.

    r. 9 VAC 5-40-930 - Existing source standards for SO_2.

s. 9 VAC 5-40-940 - Existing source visible emission standards.

t. 9 VAC 5-40-950 - Existing source fugitive dust/emissions standards.

u. 9 VAC 5-50-20 - New source compliance.

v. 9 VAC 5-50-30 - New source emission testing.

w. 9 VAC 5-50-40 - New source monitoring.

x. 9 VAC 5-50-50 - Notification, records, and reporting.

y. 9 VAC 5-50-90 - New source standard for fugitive dust/emissions.

z. 9 VAC 5-50-240 - Standards of performance for stationary sources.

aa. 9 VAC 5-50-260 - Standard for new and modified stationary sources (BACT).

bb. 9 VAC 5-50-290 - Visible emissions standard for new and modified stationary sources.

cc. 9 VAC 5-50-300 - Fugitive dust/emissions standards for new and modified stationary sources.

dd. 9 VAC 5-80-310 - Operating permit fees.

ee. 9 VAC 5-80-360 – Article 3, Title IV and Title V federal operating permit requirements for acid rain sources.

ff. 9 VAC 5-80-490 - Maximum sulfur content of No. 6 fuel oil is 2.5% by weight per shipment.

gg. 9 VAC 5-80-1100 – Preconstruction permits for new and modified sources.

hh. 9 VAC 5-80-1700 & 1710 - Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas.

ii. 9 VAC 5-80-2000 - Permits for Major Stationary Sources and Major Modifications Locating in Non-attainment Areas.

jj. 9 VAC 5-140-10 - Emissions trading.

VII. Insignificant Emissions Units

The following emissions units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emissions Unit Description	Citation	Pollutant(s) Emitted (for 9 VAC 5-80-720 B)	Rated Capacity (for 9 VAC 5-80-720 C)
IS-1	No. 2 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	15,229 gallons
IS-2	No. 2 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	466,379 gallons
IS-3	Kerosene Dispensing Station and Tank	9 VAC 5-80-720 B	VOC	5,000 gallons
IS-4	Turbine Lube Oil Systems	9 VAC 5-80-720 B	VOC	
IS-5	Induced Draft Fan Lube Oil System	9 VAC 5-80-720 B	VOC	
IS-6	Forced Draft Fan Lube Oil System	9 VAC 5-80-720 B	VOC	
IS-7	Boiler Feed Pump System	9 VAC 5-80-720 B	VOC	
IS-8	No. 6 Fuel Oil Drain Tanks	9 VAC 5-80-720 B	VOC	1,028 gallons & 1,028 gallons
IS-9	Station Degreaser Systems-SafetyKleen Self-Contained	9 VAC 5-80-720 B	VOC	
IS-10	No. 6 Fuel Oil Storage Tank	9 VAC 5-80-720 B	VOC	11,130,000 gallons
IS-11	No. 6 Fuel Oil Storage Tank (Yorktown Refinery)	9 VAC 5-80-720 B	VOC	21,217,216 gallons
IS-12	No. 6 Fuel Oil Storage Tank (Yorktown Refinery)	9 VAC 5-80-720 B	VOC	21,180,725 gallons
IS-13	No. 6 Fuel Oil Storage Tank (Yorktown Refinery)	9 VAC 5-80-720 B	VOC	21,227,055 gallons
IS-14	No. 6 Fuel Oil Storage Tank (Yorktown Refinery)	9 VAC 5-80-720 B	VOC	21,222,541 gallons
IS-15	No. 6 Fuel Oil Storage Tank (Yorktown Refinery)	9 VAC 5-80-720 B	VOC	21,224,611 gallons

Emission Unit No.	Emissions Unit Description	Citation	Pollutant(s) Emitted (for 9 VAC 5-80-720 B)	Rated Capacity (for 9 VAC 5-80-720 C)
IS-16	Gasoline Dispensing Station and Tank	9 VAC 5-80-720 B	VOC	5,000 gallons
IS-17	Used Oil Separatory Tank	9 VAC 5-80-720 B	VOC	10,365 gallons
IS-18	Fly Ash Handling & Truck Loading (controlled by the addition of water)	9 VAC 5-80-720 B	PM_{10}	
IS-19	Unit 3 Fuel Oil Additive Storage Tank	9 VAC 5-80-720 B	VOC	8,813 gallons
IS-20	Hydrogen Oil Seal Tank System	9 VAC 5-80-720 B	VOC	
IS-21	No. 2 Fuel Oil-Fired Emergency Generator	9 VAC 5-80-720 B	VOC, SO_2, NO_x, PM_{10}, CO	
IS-22	Electro Hydraulic Control System	9 VAC 5-80-720 B	VOC	
IS-23	Fire Water Diesel Pump and Tank	9 VAC 5-80-720 B	VOC, SO_2, NO_x, PM_{10}, CO	575 gallon tank, 340 Hp engine
IS-24	Coal Yard Diesel Fuel Dispensing Station and Tank	9 VAC 5-80-720 B	VOC	5,000 gallons
IS-25	Warehouse Diesel Fuel Dispensing Station and Tank	9 VAC 5-80-720 B	VOC	5,000 gallons
IS-26	Emergency Diesel Generator Fuel Tank	9 VAC 5-80-720 B	VOC	584 gallons
IS-27	No. 2/Diesel Fuel Tank for Oil Heater (Tank 160), constr in 1972	9 VAC 5-80-720 B	VOC	15,571 gallons
IS-28	No. 2/Diesel Fuel Tank for Oil Heater (Tank 161), constr in 1972	9 VAC 5-80-720 B	VOC	15,571 gallons
IS-29	No. 2/Diesel Fuel Tank for Oil Heater (Tank 162), constr in 1974	9 VAC 5-80-720 B	VOC	70,438 gallons

These emissions units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emissions units in accordance with 9 VAC 5-80-490 C, E, and F.

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this facility:

Citation	Title of Citation	Description of Non-Applicability
40 CFR Part 60, Subpart Ka	Performance Standards for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	This requirement does not apply to any of the tanks listed as insignificant. The tanks are either smaller in size than 400,000 gallons, or were installed prior to, and not modified after, the applicability date of May 18, 1978.
40 CFR Part 60, Subpart Kb	Performance Standards for VOL Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984	This requirement does not apply to any of the Volatile Organic Liquid (VOL) storage tanks listed as insignificant. The tanks are either smaller in size than 20,000 gallons, or were installed prior to, and not modified after, the applicability date of July 23, 1984 (68FR59328, et seq., of 10/15/03).
40 CFR 60, Subpart Y (60.250-60.254)	Standards of Performance for New or Modified Coal Preparation Plants	Any coal preparation facility processing more than 200 tons coal/day, that constructs or modifies after October 24, 1974. This facility existed before that date, and exceeds the process rate, but has not reported modifications to coal preparation processes.
40 CFR 60, Subparts D, Da, Db, Dc (60.40-60.48c)	Boiler NSPS Subparts	All boilers at this facility were constructed prior to, and not modified after, the applicability date for each NSPS.
40 CFR 63	All subparts	No current MACT-affected sources at facility.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-500)

IX. Title V General Conditions

A. Federal Enforceability

1. All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

   (9 VAC 5-80-490 N)

B. Permit Expiration

2. This permit has a fixed term of five years. The expiration date shall be the date five years from the effective date. Unless the owner submits a timely and complete renewal application to the Department consistent with 9 VAC 5-80-430, the right of the facility to operate shall be terminated upon permit expiration.

   a. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

   b. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 3, Part II of 9 VAC 5 Chapter 80, until the board takes final action on the application under 9 VAC 5-80-510.

   c. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-430 for a renewal permit, except in compliance with a permit issued under Article 3, Part II of 9 VAC 5 Chapter 80.

   d. If an applicant submits a timely and complete application under section 9 VAC 5-80-430 for a permit renewal, but the board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied, and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-500, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

   e. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-430 F shall cease to apply if, subsequent to the completeness determination made pursuant to section 9 VAC 5-80-430 D, the applicant fails to submit, by the deadline specified in writing by the board, any additional information identified as being needed to process the application.

   (9 VAC 5-80-430 B, C and F, 9 VAC 5-80-490 D and 9 VAC 5-80-530 B)

C. Recordkeeping and Reporting

3. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.

   (9 VAC 5-80-490 F)

4. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

   (9 VAC 5-80-490 F)

5. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-430 G, and shall include:

   a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31. The report for a one-time gap filling 31-day reporting period of the month of December, 2003, shall be submitted by May 1, 2004.

   b. All deviations from permit requirements. For purposes of this permit, a "deviation" includes, but is not limited to:

      (1) Exceedance of emissions limitations or operational restrictions;

      (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-490 F)

D. Annual Compliance Certification

6. Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-430 G, and shall include:

   a. The time period included in the certification. The time period to be addressed is January 1 to December 31.

   b. A description of the means for assessing or monitoring the compliance of the source with its emissions limitations, standards, and work practices.

   c. Identification of each permit term or condition that is the basis of the certification.

   d. The compliance status.

   e. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

   f. Consistent with subsection 9 VAC 5-80-490 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

   g. Such other facts as the permit may require to determine the compliance status of the source.

   One copy of the annual compliance certification shall be sent to the following address:

   Clean Air Act Title V Compliance Certification (3AP00)
   U. S. Environmental Protection Agency, Region III
   1650 Arch Street
   Philadelphia, PA 19103-2029

   (9 VAC 5-80-490 K.5)

E. Permit Deviation Reporting

7. The permittee shall notify the Director, Tidewater Regional Office, within four (4) daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition 5 of this permit.

   (9 VAC 5-80-490 F.2)

F. Failure/Malfunction Reporting

8. In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Tidewater Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction, and shall, within 14 days of discovery, provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Tidewater Regional Office.

   a. The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the 14 day written notification.

   b. The emission units subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C are listed below:
      (1) Unit ES-1
      (2) Unit ES-2
      (3) Unit ES-3

c. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B.6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;

(3) Date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

(4) When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

d. All malfunctions of emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C require written reports within 14 days of the discovery of the malfunction.

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

G. Severability

9. The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-490 G.1)

H. Duty to Comply

10. The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-490 G.2)

I. Need to Halt or Reduce Activity not a Defense

11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
    (9 VAC 5-80-490 G.3)

J. Permit Modification

12. A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000, and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
    (9 VAC 5-80-550 and 9 VAC 5-80-660)

K. Property Rights

13. The permit does not convey any property rights of any sort, or any exclusive privilege.
    (9 VAC 5-80-490 G.5)

L. Duty to Submit Information

14. The permittee shall furnish to the board, within a reasonable time, any information that the board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the board along with a claim of confidentiality.
    (9 VAC 5-80-490 G.6)

15. Any document (including reports) required in a permit condition to be submitted to the board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-430 G.9.
    (9 VAC 5-80-490 K.1)

M. Duty to Pay Permit Fees

16. The owner of any source for which a permit under 9 VAC 5-80-360 through 9 VAC 5-80-700 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 et seq. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

    (9 VAC 5-80-340 C and 9 VAC 5-80-490 H)

N. Fugitive Dust Emission Standards

17. During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

    a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

    b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

    c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

    d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

    e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

    (9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

18. At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

    (9 VAC 5-40-20 E and 9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

19. Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions under each such operating scenario. Terms and conditions of each such alternative scenario shall meet all applicable requirements including requirements of 9 VAC 5 Chapter 80, Article 3.

    (9 VAC 5-80-490 J)

Q. Inspection and Entry Requirements

20. The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

    a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under terms and conditions of the permit.

    b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

    c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

    d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

    (9 VAC 5-80-490 K.2)

R. Reopening For Cause

21. The permit shall be reopened by the board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-430 F.

    a. The permit shall be reopened if the board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

    b. The permit shall be reopened if the administrator or the board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

    c. The permit shall not be reopened by the board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-490 D.

    (9 VAC 5-80-490 L)

S. Permit Availability

22. Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

    (9 VAC 5-80-510 G)

T. Transfer of Permits

23. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
    (9 VAC 5-80-520)

24. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-560.
    (9 VAC 5-80-520)

25. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-560.

    (9 VAC 5-80-520)

U. Malfunction as an Affirmative Defense

26. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of the following paragraph are met.

27. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

    a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

    b. The permitted facility was at the time being properly operated.

    c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

    d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-490 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

28. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

29. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

    (9 VAC 5-80-650)

V. Permit Revocation or Termination for Cause

30. This permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto, or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80, Article 3. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

    (9 VAC 5-80-550 C and 9 VAC 5-80-660)

W. Duty to Supplement or Correct Application

31. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

    (9 VAC 5-80-430 E)

X. Stratospheric Ozone Protection

32. If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

    (40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

33. If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

    (40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

34. No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

    (9 VAC 5-80-490 I)

AA. Emissions Trading

35. Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

    a. All terms and conditions required under 9 VAC 5-80-490, except subsection N, shall be included to determine compliance.

    b. The permit shield described in 9 VAC 5-80-500 shall extend to all terms and conditions that allow such increases and decreases in emissions.

    c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-360 through 9 VAC 5-80-700.

    (9 VAC 5-80-490 I)

X. Title IV (Phase II Acid Rain) Permit Allowances and Requirements

A. Limitations

1. The Phase II acid rain permit for this facility, issued on 05/02/03, pursuant to Chapter 80, Part II, Article 3 of the regulations (9 VAC 5-80-360 et seq.), is effective through December 31, 2007. It is incorporated by reference into this acid rain operating permit as Attachment 1. The owners and operators of the source shall comply with the standard requirements and special provisions set forth in the application.

   (9 VAC 5-80-440, and 9 VAC 5-80-490 A.4.a and c, B, C, E, F, M, O and P)

2. Where an applicable requirement of the Clean Air Act, or of this operating permit, is more stringent than an applicable requirement from state or federal regulations promulgated under Title IV of the Clean Air Act, both provisions appear in this Permit, and both are enforceable by the Administrator of the U.S. Environmental Protection Agency.

   (40 CFR Part 70, section 70.6(a)(1)(ii))

3. Emissions from emission units at Yorktown Power Station may not exceed any allowances that Yorktown Power Station holds under its Title IV acid rain permit, which is incorporated by reference into this acid rain operating permit as mentioned in Title V Permit Condition X.A.1 above.

   (40 CFR Part 70, section 70.6(a)(4))

4. The Title IV acid rain allowances required by Title V Permit Condition X.A.3 to be held by Yorktown Power Station may be acquired at any time prior to the end of the reconciliation period each year, as specified in its Title IV acid rain permit, to cover the emissions for that year.

   (9 VAC 5-80-490)

5. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to Title IV of the federal Clean Air Act or Chapter 80, Part II, Article 3 of the regulations (9 VAC 5-80-360, et. seq.), provided that such increases do not require a permit revision under any other applicable requirement.

   (40 CFR Part 70, section 70.6(a)(4)(i))

6. This facility may hold any number of allowances authorized by its acid rain permit. But the source may not use these allowances as a defense to a non-compliance with any other applicable requirement.

   (40 CFR Part 70, section 70.6(a)(4)(ii))

7. Any allowance authorized by this facility's acid rain permit shall be accounted for according to procedures established Chapter 80, Part II, Article 3 of the regulations (9 VAC 5-80-360, et. seq.) or under federal regulations pursuant to Title IV of the Clean Air Act.

   (40 CFR Part 70, section 70.6(a)(4)(iii))

8. Nothing in this Permit shall alter or affect the applicable requirements of the acid rain program pursuant to Title IV of the Clean Air Act.

   (40 CFR Part 70, section 70.6(f)(3)(iii))

B. Reporting

9. **Acid Rain Monitoring, Recordkeeping, Reporting Requirements for Units ES-1, ES-2, and ES-3 -** The permittee shall comply with each of the monitoring, recordkeeping, and reporting requirements as specified in the Phase II Acid Rain Permit (Attachment 1) for Units ES-1, ES-2, and ES-3.

   (9 VAC 5-80-490, 9 VAC 5 Chapter 80 - Article 3, and the 04/29/03 Phase II Acid Rain Permit)

XI. NO_x Budget Trading Program Requirements

A. NO_x Budget Permit General Conditions

1. A review of the air emission units included in this permit approval has determined that the equipment listed in the following table meets the definition of a NO_x Budget Unit and falls subject to the NO_x Budget emission limitations under 9 VAC 5-140-40 et seq., or for NO_x Budget opt-in sources 9 VAC 5-140-800 et seq. As required by 9 VAC 5-140-200 A, each NO_x Budget source is required to have a federally enforceable permit. This section represents the NO_x Budget permit.

   (9 VAC 5-140-40)

2. The NO_x Budget permit will be administrated by VADEQ under the authority of 9 VAC 5-80-360 et seq., Article 3, and 9 VAC 5-140-10 et seq.

   (9 VAC 5-140-200 A)

3. The following air emission units have been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.1 and A.2. Units not meeting this definition, not defined as 25-Ton Exemption Units (as specified by 9 VAC 5-140-40 B.1), and not permanently shutdown can be included in the NO_x Budget Trading program as NO_x Budget opt-in sources.

Table XI – 1
Facility NO_x Budget Units

Facility Unit ID	Unit NATS Code	Unit Name and description	Maximum Heat Capacity (MMBtu/hr)	Maximum Generation Capacity (megawatts)
ES-1	03809-001	Combustion Engineering tangential-fired boiler	1697	170
ES-2	03809-002	Combustion Engineering tangential-fired boiler	1745	170
ES-3	03809-003	Combustion Engineering tangential-fired boiler	8061	850

   (9 VAC 5-140-40 A)

4. This NO_x Budget permit will become effective on May 31, 2004.

   (9 VAC 5-140-240.1)

B. NO_x Budget Permit Standard Requirements

5. Continuous Monitoring requirements.

   a. The owners and operators and, to the extent applicable, the NO_x authorized account representative of each NO_x Budget source and each NO_x Budget unit at the source shall comply with the monitoring requirements of Article 8 (9 VAC 5-140-700 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program.
   (9 VAC 5-140-60 B.1)

   b. The emissions measurements recorded and reported in accordance with Article 8 (9 VAC 5-140-700 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program (subparts H of 40 CFR 75 and 40 CFR 97) shall be used to determine compliance by the unit with the NO_x Budget emissions limitation under Conditions XI.B.6.a through XI.B.6.h of this permit. The following approved methods will be used to calculate NOx Control Period and annual emission rates:

Pollutant/Stack Parameter (Emission Formulas*)	Monitoring Methods (40 CFR 75)
Heat input (HI), Units 1-3 (Formulas F15, F21A)	Calculated.
Nitrogen oxides (NO_X) emissions rate for each of Units 1-3 (Formula F-6); NO_X mass emissions rate for each of Units 1-3 (Formula F-24)	CO_2 and NO_X Continuous Emissions Monitoring Systems (CEMS) with DAHS**; NO_X mass emission rates are calculated using heat input rates.
Carbon-based F-factor (FC)(Formula F-8)	Calculated.
Sulfur dioxide (SO_2) mass emissions rate for each of Units 1-3 (Formula F-1)	SO_2 CEMS and DAHS.
Carbon dioxide (CO_2) mass emissions rate for each of Units 1-3 (Formula F-11)	CO_2 CEMS and DAHS.
Net Stack Flow (FLOW) for each of Units 1-3	Differential pressure (DP) sampling method: average of two DP sampling points, and DAHS.
Opacity (OP) for Stack 0 for Units 1 and 2, and Stack 3 for Unit 3	Continuous Opacity Monitoring Systems (COMS)

* From the CALP Facility Monitoring Plan and 40 CFR 75, Appendix F
** Data Acquisition and Handling System
(9 VAC 5-140-60 B.2)

6. Nitrogen oxides requirements.

   a. The owners and operators of each NO_x Budget source and each NO_x Budget unit at the source shall hold NO_x allowances available for compliance deductions under 9 VAC 5-140-540 A, B, E, or F, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with Article 8 (9 VAC 5-140-700 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program, plus any amount necessary to account for actual utilization under 9 VAC 5-140-420 E for the control period or to account for excess emissions for a prior control period under 9 VAC 5-140-540 D or to account for withdrawal from the NO_x Budget Trading Program, or a change in regulatory status, of a NO_x Budget opt-in unit under 9 VAC 5-140-860 or 9 VAC 5-140-870.

      (9 VAC 5-140-60 C.1)

   b. Each ton of nitrogen oxides emitted in excess of the NO_x Budget emissions limitation shall constitute a separate violation of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program, the Clean Air Act, and applicable Virginia Air Pollution Control law.

      (9 VAC 5-140-60 C.2)

   c. A NO_x Budget unit shall be subject to the requirements under 9 VAC 5-140-60 C.1 starting on the later of May 31, 2004, or the date on which the unit commences operation.

      (9 VAC 5-140-60 C.3)

   d. NO_x allowances shall be held in, deducted from, or transferred among NO_x Allowance Tracking System accounts in accordance with Article 5 (9 VAC 5-140-400 et seq.), Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), and Article 9 (9 VAC 5-140-800 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program.

      (9 VAC 5-140-60 C.4)

   e. A NO_X allowance shall not be deducted, in order to comply with the requirements under 9 VAC 5-140-60 C.1, for a control period in a year prior to the year for which the NO_x allowance was allocated.

      (9 VAC 5-140-60 C.5)

f. A NO_x allowance allocated by the permitting authority or the administrator under the NO_x Budget Trading Program is a limited authorization to emit one ton of nitrogen oxides in accordance with the NO_x Budget Trading Program. No provision of the NO_x Budget Trading Program, the NO_x Budget permit application, the NO_x Budget permit or an exemption under 9 VAC 5-140-50, and no provision of law, shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

(9 VAC 5-140-60 C.6)

g. A NO_x allowance allocated by the permitting authority or the administrator under the NO_x Budget Trading Program does not constitute a property right.

(9 VAC 5-140-60 C.7)

h. Upon recordation by the administrator under Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), or Article 9 (9 VAC 5-140-800 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program, every allocation, transfer, or deduction of a NO_x allowance to or from a NO_x Budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, any NO_x Budget permit of the NO_x Budget unit by operation of law without any further review.

(9 VAC 5-140-60 C.8)

7. Excess emissions requirements. The owners and operators of a NO_x Budget unit that has excess emissions in any control period shall:

a. Surrender the NO_x allowances required for deduction under 9 VAC 5-140-540 D 1; and

b. Pay any fine, penalty, or assessment or comply with any other remedy imposed under 9 VAC 5-140-540 D 3.

(9 VAC 5-140-60 D)

C. NO_x Budget Permit Recordkeeping and Reporting Requirements

8. Unless otherwise provided, the owners and operators of the NO_x Budget source and each NO_x Budget unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the permitting authority or the administrator.
   (9 VAC 5-140-60 E.1)

   a. The account certificate of representation for the NO_x authorized account representative for the source and each NO_x Budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 9 VAC 5-140-130; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NO_x authorized account representative.
      (9 VAC 5-140-60 E.1)

   b. All emissions monitoring information, in accordance with Article 8 (9 VAC 5-140-700 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program; provided that to the extent that Article 8 provides for a three-year period for recordkeeping, the three-year period shall apply.
      (9 VAC 5-140-60 E.1)

   c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Budget Trading Program.
      (9 VAC 5-140-60 E.1)

   d. Copies of all documents used to complete a NO_x Budget permit application and any other submission under the NO_x Budget Trading Program or to demonstrate compliance with the requirements of the NO_x Budget Trading Program.
      (9 VAC 5-140-60 E.1)

9. The NO_x authorized account representative of a NO_x Budget source and each NO_x Budget unit at the source shall submit the reports and compliance certifications required under the NO_x Budget Trading Program, including those under Article 4 (9 VAC 5-140-300 et seq.), Article 8 (9 VAC 5-140-700 et seq.), or Article 9 (9 VAC 5-140-800 et seq.) of 9 VAC 5, Chapter 140, Part 1, NO_x Budget Trading Program.
   (9 VAC 5-140-60 E.2)

D. NO_x Budget Permit Testing for CEM Certification

10. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.
    (9 VAC 5-40-30, 9 VAC 5-50-30, and 9 VAC 5-140-710)

11. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant or Stack Parameter	CEM Certification Test Method 40 CFR 60
NO_x Concentration	USEPA Method 7E
Opacity	USEPA Method 9
Moisture	USEPA Method 4
Fuel use / heat flow	USEPA Method 2
Diluent gas	USEPA Method 3A

(9 VAC 5-140-700 to 710)

E. NO_x Budget Permit Liability

12. Any person who knowingly violates any requirement or prohibition of the NO_x Budget Trading Program, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be subject to enforcement pursuant to applicable State or Federal law.
    (9 VAC 5-140-60 F.1)

13. Any person who knowingly makes a false material statement in any record, submission, or report under the NO_x Budget Trading Program shall be subject to criminal enforcement pursuant to the applicable State or Federal law.
    (9 VAC 5-140-60 F.2)

14. No permit revision shall excuse any violation of the requirements of the NO_x Budget Trading Program that occurs prior to the date that the revision takes effect.
    (9 VAC 5-140-60 F.3)

15. Each NO_x Budget source and each NO_x Budget unit shall meet the requirements of the NO_x Budget Trading Program.
    (9 VAC 5-140-60 F.4)

16. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget source or the NO_x authorized account representative of a NO_x Budget source shall also apply to the owners and operators of such source and of the NO_x Budget units at the source.

    (9 VAC 5-140-60 F.5)

17. Any provision of the NO_x Budget Trading Program that applies to a NO_x Budget unit or the NO_x authorized account representative of a NO_x budget unit shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Article 8 (9 VAC 5-140-700 et seq.), the owners and operators and the NO_x authorized account representative of one NO_x Budget unit shall not be liable for any violation by any other NO_x Budget unit of which they are not owners or operators or the NO_x authorized account representative and that is located at a source of which they are not owners or operators or the NO_x authorized account representative.

    (9 VAC 5-140-60 F.6)

F. NO_x Budget Permit Effect on Other Authorities

18. No provision of the NO_x Budget Trading Program, a NO_x Budget permit application, a NO_x Budget permit, or an exemption under 9 VAC 5-140-50 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO_x authorized account representative of a NO_x Budget source or NO_x Budget unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

    (9 VAC 5-140-60 G)

To: **Air Compliance Manager**
Department of Environmental Quality – Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462

From: **(Facility Name)**

Registration No. _____

Re: **TITLE V ANNUAL COMPLIANCE CERTIFICATION**

Date:

Please find attached our Title V Annual Compliance Certification for the period from ____/____/_____ to ____/____/_____. It identifies each term or condition of the permit that is the basis of the certification. All deviations and periods of non-compliance for the period have been addressed in semi-annual monitoring reports that have either been previously submitted or are enclosed.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who mange the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

_____ _____

(*Signature)* *(Name & Title)*

cc: Director, Air and Waste Division (Mail drop 3AP00)
United States Environmental Protection Agency -- Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(Annual Compliance Certifications are due 60 days following end of reporting period.)

To: **Air Compliance Manager**
Department of Environmental Quality – Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462

From: **(*Facility Name)*** **Reg. No. _____**
Re: **PROMPT DEVIATION REPORT – Pursuant to Title V Permit**
Date:
This confirms the deviation reported to the Regional Office at _____ o'clock on ____/____/_____. The details are described below. The deviation may have caused excess emissions for more than one hour, consistent with specified averaging times. None of these deviations were related to a malfunction.

Start date & time:	**End date & time:**	**Estimated Duration:**
Deviation from which permit condition (*condition number and brief description*):		
Description of incident (*including emission unit affected)*:		
Description of Monitoring Requirement for affected unit(s):		
Probable cause:		
Description of corrective measures taken (*demonstrating a timely & appropriate response*):		
Description of preventive measures taken:		

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who mange the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

_____ _____
(*Signature)* *(Name & Title)*

To: Air Compliance Manager
Department of Environmental Quality – Tidewater Regional Office
5636 Southern Blvd.
Virginia Beach, VA 23462

From: (*Facility Name)* Reg. No. _____
Re: SEMI-ANNUAL MONITORING REPORT – Pursuant to Title V Permit
Date:

The following monitoring report is submitted as required by our Title V permit. For the purposes of this report, deviation means (1) exceedances of emission limits, as determined by such means as stack testing, continuous emission monitors, parametric monitoring and EPA Method 9 visible emission evaluations; (2) excursions from control device operating parameter requirements such as afterburner temperature, scrubber flow rate, baghouse pressure drop; (3) excursions from operational restrictions things such as throughput, fuel quality, and coating VOC and HAP content; and (4) failure to meet monitoring, record keeping or reporting requirements. The report addresses all data points, which are above a standard, limit etc, according to the averaging period, if any, specified in the permit. If no averaging period is specified in the permit, then any monitored reading is considered a deviation to be reported. Deviations are reported regardless of whether they may have caused excess emissions or whether they were the result of a malfunction.

The period covered by the report is from ____/____/_____ to ____/____/_____.

During the reporting period:

☐ No deviations from permit requirements occurred during this semi-annual reporting period. (We conducted all required monitoring and associated record keeping and reporting. Required monitoring revealed no deviations from permit requirements.)

☐ We failed to conduct required monitoring/record keeping/reporting as explained on the attached form.

☐ We identified deviations as a result of required monitoring:
- ☐ Deviations were addressed in CEM Excess Emission Report(s) dated: _____
- ☐ Deviations were addressed in Fuel Report(s) dated: _____
- ☐ Deviations were addressed in MACT Report(s) dated: _____
- ☐ Deviations due to malfunctions were addressed in letters dated: _____
- ☐ Deviations were addressed in other report(s) dated: _____
  Type of report:_____
- ☐ Deviations were previously described in Prompt Deviation Reports dated:
  _____ _____ _____ _____ _____
  _____ _____ _____ _____ _____
- ☐ "Other" deviations, which were not previously reported, are described in the attachment.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who mange the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

_____ _____
(*Signature)* *(Name & Title)*

FAILURE TO MONITOR, KEEP RECORDS OR REPORT

Registration No. _____

Submitted as Part of Semi-Annual Monitoring Report

Permit Condition No. & DESCRIPTION OF REQUIREMENT	DESCRIPTION OF DEVIATION (including date)	REASON FOR DEVIATION & CORRECTIVE ACTION

Annual Compliance Certification Registration No. _______________ Page ______ of _______

Cond. No.	TERMS & CONDITIONS CONTAINED IN THE PERMIT *(list in order)*	MEANS OF DETERMINING COMPLIANCE STATUS	TYPE OF DATA THE MEANS PROVIDES	PERIODS OF NON-COMPLIANCE
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No
			☐ Continuous ☐ Intermittent	☐ Yes ☐ No

Form approved for use 9/18/00

"OTHER" DEVIATIONS **Registration No. _____** **Page _____ of _____**

Submitted as Part of Semi-Annual Monitoring Report

Condition No. & Description of Requirement	**Description of Deviation** (time, emission unit, description of event, cause)	**Description of Associated Monitoring Requirement**	**Description of corrective measures taken (*demonstrating a timely & appropriate response*)**

(Report deviations which may have caused excess emissions for more than one hour on a deviation report form, not here